

REMARKS

Claims 1 to 96 are pending in the application. The specification has been objected to for informalities. Claims 2 to 35 have been objected to for informalities. Claim 33 has been objected to as being of improper dependent form. Claims 36 to 47, 65 to 71, and 92 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jones et al. (U.S. Patent 5,805,191). Claim 88 stands rejected under 35 U.S.C. §102(b) as being anticipated by Fujishiro et al. (U.S. Patent 6,295,438). Claims 1 to 5, 7 to 9, 12, 14 to 19, 28, 32 to 35, 57 to 59, 61, 62, 72 to 74, 77 to 80, 84, and 87 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Fujishiro et al. Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Fujishiro et al. and further in view of Hattler et al. (U.S. Patent 3,941,085). Claim 13 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Fujishiro et al. and further in view of Bui et al. (U.S. Patent 5,389,958). Claims 20 to 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Fujishiro et al. and further in view of Titterington et al. (U.S. Patent 5,645,888) and Korem (U.S. Patent 6,354,701). Claim 27 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Fujishiro et al., Titterington et al., and Korem and further in view of Shinkoda (U.S. Patent Publication 20030038871). Claims 29 and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Fujishiro et al. and further in view of Komatsu et al. (U.S. Patent 6,059,407). Claim 30 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Fujishiro et al. and further in

view of Anderson (U.S. Patent 5,099,256). Claims 48 to 55 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Titterington and Korem. Claim 56 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Titterington et al. and Korem and further in view of Shinkoda. Claim 60 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Bui et al. Claims 63, 64, 85, 86, and 91 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Askren (U.S. Patent Publication 20040246318). Claims 75 and 76 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Titterington et al. (U.S. Patent 5,958,169). Claims 81 and 83 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Komatsu et al. Claim 82 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Anderson. Claims 89 and 90 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fujishiro et al. in view of Askren. Claims 93 and 94 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Blair et al. (U.S. Patent 6,458,461). Claim 95 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. Claim 96 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Hindman et al. (U.S. Patent 5,614,933).

With respect to the objection to the specification for informalities, the Examiner has stated that the reference to the copending application must be updated to reflect the current status of this application. Applicants have amended the specification as requested, thereby eliminating this basis for objection.

The Examiner has further stated that reference character "18" has been used to designate both a "final recording substrate" and a "pivot" in the drawings. Applicants have amended the specification on page 42 to replace reference character "18" with "28" where it is intended to refer to a "final recording substrate", consistent with the drawings and with other usage in the specification, thereby eliminating this basis for objection.

In addition, the Examiner has objected to the Abstract of the Disclosure for containing legal phraseology. Applicants have amended the Abstract as indicated, and believe that these amendments remove any possible basis for this ground for objection.

With respect to the objections to the claims, the Examiner has stated that in claims 2 to 35, "An apparatus" is an improper reference to claim 1, and that correction to "The apparatus" or "The printing apparatus" is required. While Applicants are of the position that these claims in their present form are entirely appropriate, to facilitate prosecution, Applicants have amended these claims as requested by the Examiner. These amendments do not in any way affect the scope of the claims.

Further with respect to the objections to the claims, the Examiner has stated that claim 33 is of improper dependent form for failing further to limit the subject matter of a previous claim. More specifically, the Examiner has stated that claim 33 recites a block of intermediate transfer material, but that this does not provide further limitation to the parent claim, which recites a block of intermediate transfer material that is solid.

Applicants respectfully disagree with this position. While claim 1 recites an intermediate transfer material applicator for transferring intermediate transfer material from a solid block of intermediate transfer material, the block of intermediate transfer material itself is not recited as a claim element in claim 1. Claim 33 further limits the scope of claim 1 by reciting the block itself as a further claim element, and accordingly is of appropriate dependent form. Applicants accordingly respectfully request reconsideration and withdrawal of this ground for objection.

The Examiner has rejected claims 36 to 47, 65 to 71, and 92 under §102 as being anticipated by Jones et al. Jones et al. discloses an apparatus and method for applying an intermediate transfer surface, in the form of a liquid layer, on a support surface as may be used in a phase change ink printing system. The apparatus includes an applicator assembly for distributing the liquid layer onto the support surface to produce the intermediate transfer surface and an apparatus for metering the liquid layer uniformly on the support surface. The applicator assembly has a contact medium for removing foreign matter from and delivering the liquid onto the support surface. Preferably the contact medium is a liquid impregnated web that is periodically incremented to present a clean web surface in contact with the support surface. The metering apparatus is a hydrodynamic blade that uniformly distributes the liquid intermediate transfer layer over the support surface. The apparatus provides for sequencing of the applicator, then the applicator and the blade together, and finally the blade only to ensure

proper application of the intermediate transfer layer and cleaning of the support surface.

The Examiner has stated that this reference anticipates claims 36 to 47, 65 to 71, and 92. Applicants disagree with this position. The Examiner has pointed to nothing in this reference that teaches a printing process wherein an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C is employed in a process wherein an imagewise pattern is placed thereon. The Examiner has referred to lines 38 to 65 of column 9 of the reference. This portion of the reference teaches that the intermediate transfer member can be heated to temperatures of from about 25°C to about 70°C or higher to increase the temperature of the liquid intermediate transfer surface thereon. The Examiner has not, however, pointed to anything in this reference teaching or suggesting that the intermediate transfer material itself has a melting point of at least about 30°C and of no more than about 90°C. In fact, this reference consistently refers to the intermediate transfer material as a liquid. See, e.g., column 8, lines 54 to 59, stating that "(s)uitable liquids that may be employed as the intermediate transfer surface 12 include water, fluorinated oils, glycol, surfactants, mineral oil, silicone oil, functional oils or combinations thereof. Functional oils can include, but are not limited to, mercapto-silicone oils, fluorinated silicone oils and the like."

A §102 "anticipation" rejection requires that a single reference teach (i.e., identically describe) each and every element of the rejected claim. That is, §102 anticipation requires that all of the elements and limitations of the claim are found within a single prior art

reference. That is the unequivocal current and controlling view of the Federal Circuit. Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 U.S.P.Q. 193, 198 (Fed. Cir. 1983); Atlas Powder v. E. I. DuPont, 750 F. 2d 1569, 224 U.S.P.Q. 409 (Fed. Cir. 1984); Jamesbury Corp. v. Litton Industrial Products, 756 F.2d 1556, 225 U.S.P.Q. 253 (Fed. Cir. 1985); Carella v. Starlight Archery and Pro Line Co., 804 F.2d 135, 138, 231 U.S.P.Q. 644, 646 (Fed. Cir. 1986); and Davis v. Loesch, 27 U.S.P.Q. 2d 1440, 1445 (Fed. Cir. 1993), citing Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir.), cert. denied, 493 U.S. 853 (1989). To anticipate a claim under 35 U.S.C. §102, a prior art reference must disclose each and every element claimed. See, e.g., Leinoff v. Louis Milona & Sons, Inc., 220 U.S.P.Q. (BNA) 845 (Fed. Cir. 1984); Connell v. Sears, Roebuck & Co., 220 U.S.P.Q. (BNA) 193 (Fed. Cir. 1983). Rejections under 35 U.S.C. §102 are proper only when the claimed subject matter is identically disclosed or described in the prior art. In other words, to constitute an anticipation, all material elements recited in a claim must be found in one unit of prior art. In re Marshall, 198 U.S.P.Q. 344 (CCPA 1978). Since the Examiner has pointed to nothing in Jones et al. that teaches an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C, Applicants are of the position that claims 36 to 47, 65 to 71, and 92 are patentable with respect to the teachings of this reference.

The Examiner has also rejected claim 95 under §103 as being unpatentable over Jones et al. The Examiner has pointed to nothing in Jones et al. that either teaches or suggests an intermediate transfer material having a melting point of at least about 30°C and of no

more than about 90°C. Accordingly, Applicants are of the position that claim 95 is patentable with respect to the teachings of this reference.

The Examiner has also rejected claims 48 to 55 under §103 as being unpatentable over Jones et al. in view of Titterington et al. and Korem. Applicants are of the position that these claims are patentable for the reasons set forth hereinabove with respect to the rejection of claim 95 under §103 as being unpatentable over Jones et al. The Examiner has pointed to nothing in the teachings of the secondary references that either teach or suggest an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C. Accordingly, Applicants are of the position that these claims are patentable with respect to the teachings of these references.

The Examiner has further rejected claim 56 under §103 as being unpatentable over Jones et al. in view of Titterington et al. and Korem and further in view of Shinkoda. Applicants are of the position that this claim is patentable for the reasons set forth hereinabove with respect to the rejection of claim 95 under §103 as being unpatentable over Jones et al. The Examiner has pointed to nothing in the teachings of the secondary reference that either teach or suggest an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C. Accordingly, Applicants are of the position that this claim is patentable with respect to the teachings of these references.

The Examiner has additionally rejected claim 60 under §103 as being unpatentable over Jones et al. in view of Bui. Applicants are of the position that this claim is patentable for the reasons set forth hereinabove with respect to the rejection of claim 95 under §103 as

being unpatentable over Jones et al. The Examiner has pointed to nothing in the teachings of the secondary reference that either teach or suggest an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C. Accordingly, Applicants are of the position that this claim is patentable with respect to the teachings of these references.

The Examiner has also rejected claims 63 and 64 under §103 as being unpatentable over Jones et al. in view of Askren. Applicants are in the process of preparing a Declaration under 37 C.F.R. §1.131 establishing that the subject matter of the instant application was invented by the inventors thereof prior to June 3, 2003, the filing date of U.S. Patent Publication 2004/0246318 (Askren et al.). This Declaration will be filed as soon as possible after the filing of the present Amendment.

The Examiner has further rejected claims 75 and 76 under §103 as being unpatentable over Jones et al. in view of Titterington et al. '169. Applicants are of the position that these claims are patentable for the reasons set forth hereinabove with respect to the rejection of claim 95 under §103 as being unpatentable over Jones et al. The Examiner has pointed to nothing in the teachings of the secondary reference that either teach or suggest an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C. Accordingly, Applicants are of the position that these claims are patentable with respect to the teachings of these references.

The Examiner has additionally rejected claims 81 and 83 under §103 as being unpatentable over Jones et al. in view of Komatsu et al. Komatsu et al. discloses an intermediate transfer ink jet recording

method comprising forming an ink image on an intermediate transfer medium by ink jet recording and then transferring the ink image from the intermediate transfer medium onto a recording medium, which method enables an excellent image to be formed on the intermediate transfer medium and the image to be efficiently transferred from the intermediate transfer medium to the recording medium. The intermediate transfer ink jet recording method is characterized by ejecting an ink composition on an intermediate transfer medium carrying, on the surface thereof, a surfactant having an HLB value of 2 to 15 to form an ink image and transferring the ink image formed on the intermediate transfer medium to a recording medium.

Komatsu et al. is directed to an ink jet printing process wherein the ink is jetted onto a surfactant situated on an intermediate transfer medium. The presence of the surfactant prevents the ink image from being excessively broadened or flowed, so that the ink image can be formed at an accurate position without a significant variation in the location of the ink image.

The Examiner has not pointed to anything in the teachings of this reference that would suggest to one of ordinary skill in the art an apparatus or process employing a phase change ink jet printing process. As stated at column 6, lines 17 et seq., the inks used in the process disclosed therein are water-based, and contain materials such as water, water-soluble organic solvents, monohydric alcohols such as ethanol, propanol, isopropanol, and butanol, and other similar materials, clearly suggesting that the ink is a liquid at room temperature. The reference further states at column 9, lines 19 to 21 that the ink has a

viscosity of 50 mPa or less, and preferably 25 mPa or less, again clearly suggesting that it is a liquid.

Since Jones et al. is directed to a phase change ink printing process employing solid wax-based inks, whereas Komatsu et al. is directed to an aqueous ink printing process employing water-based inks, one of ordinary skill in the art would not be motivated to consider the teachings of these references in combination. Prior art references, to be relied upon as a basis for rejecting an applicant's invention, must either be in the field of the applicant's endeavor or, if not, be reasonably pertinent to the particular problem with which the inventor was concerned. The combination of elements from non-analogous sources, in a manner that reconstructs the applicant's invention only with the benefit of hindsight, is insufficient to present a prima facie case of obviousness. There must be some reason, suggestion, or motivation found in the prior art whereby a person of ordinary skill in the field of the invention would make the combination. That knowledge cannot come from the applicant's invention itself. In re Oetiker, 24 U.S.P.Q. 2d 1443 (Fed. Cir. 1992). Komatsu et al. constitutes non-analogous art with respect to the instant invention for the afore-stated reasons, and one of ordinary skill in the art would not be motivated to consider these references in combination. Accordingly, Applicants are of the position that the present invention as recited in claims 81 and 83 is patentable with respect to the teachings of these references.

The Examiner has also rejected claim 82 under §103 as being unpatentable over Jones et al. in view of Anderson. Anderson discloses an ink jet printer having a rotatable intermediate drum having

a thermally conductive surface on which the ink droplets are printed from the printhead. The drum surface material is a suitable film forming silicone polymer having a high surface energy and surface roughness to prevent movement of the droplets after impact thereon. The printhead is located relative to the intermediate drum surface so that the ink droplets impact the drum surface with a large contact angle and the ink droplet image is transferred at a second location spaced from the printhead to minimize contaminating particles from the recording medium from reaching the printhead nozzles. The intermediate drum surface is heated to dehydrate the ink droplets prior to transfer from the intermediate drum to the recording medium. The silicone polymer coating enables substantially complete transfer of the dehydrated droplets to the recording medium, so that subsequent removal of the residual ink from the drum by a cleaning system is eliminated.

This reference discloses an apparatus wherein ink droplets are ejected onto an intermediate drum surface having thereon a permanent silicone polymer coating. As stated at column 4, lines 10 to 14, "(s)ince this material enables the complete transfer of the ink droplet image to the paper, a release agent is not required to be applied to the silicone polymer coating surface prior to printing of the ink droplets thereon, and it does not need to be cleaned after the transfer of the ink droplet image and prior to printing of ink droplets again thereon." Accordingly, because this reference teaches that a release agent is not required to be applied to the surface of the intermediate transfer drum disclosed therein, this reference teaches away from the present invention, which is directed to an apparatus and process wherein a layer

of molten intermediate transfer material having a melting point of at least about 30°C and no more than about 90°C is applied to an intermediate transfer member, followed by applying to the layer of intermediate transfer material a marking material in an imagewise pattern, thereby forming an image on the layer of molten intermediate transfer material, and transferring the marking material from the intermediate transfer member to a final recording substrate. An important indicium of nonobviousness is "teaching away" from the claimed invention by the prior art. In re Dow Chemical Co., 837 F.2d 469, 473, 5 U.S.P.Q. 2d 1529, 1532 (Fed. Cir. 1988). Accordingly, for this reason, Applicants are of the position that the present invention as recited in claim 82 is patentable with respect to the teachings of these references.

In addition, Applicants are of the position that this claim is patentable for the reasons set forth hereinabove with respect to the rejection of claim 95 under §103 as being unpatentable over Jones et al. The Examiner has pointed to nothing in the teachings of the secondary reference that either teach or suggest an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C. Accordingly, Applicants are of the position that claim 85 is patentable with respect to the teachings of Jones et al. in view of Anderson.

The Examiner has further rejected claims 93 and 94 under §103 as being unpatentable over Jones et al. in view of Blair et al. Blair et al. discloses a release agent composition useful in an electrophotographic process. The composition comprises certain heat-stable grafted silicone interpolymers. The interpolymers have a melting

point such that it is in the form of a liquid on a hot fuser roll, but solidifies to a waxy solid at room temperature. The compositions were found to reduce transparency streaking in wiper pad systems and when used in felt roll applications, were found to be equal to silicone oil in transmission ratio and transparency streaking. Accordingly, the release agent compositions were especially efficacious in duplex and transparency printing. The release agent compositions also exhibited superior release performance and facilitated clean release of toner from fuser rolls in an electrophotographic imaging process.

Blair et al. is directed to an electrophotographic process wherein a light image is recorded as a latent electrostatic image on a photosensitive member. This latent image is subsequently rendered visible by applying thereto electroscopic marking particles called toner. The toner particles can either be affixed directly to the photosensitive member (in a direct imaging process) or be transferred from the photosensitive member to another support or final recording substrate, such as paper or the like, and affixed to this support (in an indirect imaging process). The toner particles can be affixed or fused to the support by several methods, one of which entails passing the support on which the toner image is placed between the nip formed by two rolls, one of which is heated. The heated roll, also called the fuser roll, contacts the surface of the support on which the toner image is placed. It is highly undesirable for any of the toner to transfer from the support to the surface of the fuser roll. When this transfer occurs, it is called "offset", and can cause poor copy quality because of transfer of the toner particles from the fuser roll to the backup roll and to subsequent copies.

(See column 1, lines 11 to 65.) To avoid offset, a release fluid can be applied to the fuser roll. Silicone oils are common release oils used for fuser rolls. (See columns 1 and 2, bridging paragraph.) The Blair et al. invention employs a release fluid that is solid at room temperature and can be applied to the hot fuser roll in molten form.

The Blair et al. apparatus and process does not teach or suggest the process recited in the instant claims. More specifically, the Examiner has not pointed to anything in Blair et al. that teaches or suggests a process wherein an intermediate transfer material as recited in the instant claims is supplied (i.e., step (a)) and applied in a molten layer to an intermediate transfer member (i.e., step (b)), followed by (c) applying to the layer of intermediate transfer material a marking material in an imagewise pattern, thereby forming an image on the layer of molten intermediate transfer material, and (d) transferring the marking material from the intermediate transfer member to a final recording substrate.

Blair et al. teaches a process wherein an image is applied to a photosensitive imaging member, followed by transferring that image to a final recording substrate, followed by applying to that final recording substrate a fuser roll upon which a release agent has been applied. The Examiner has pointed to nothing in this reference that teaches or suggests employment of an intermediate transfer member in an imaging process. In addition, the Examiner has pointed to nothing in this reference that teaches or suggests applying in an imagewise pattern a marking material to a layer of intermediate transfer material, thereby forming an image on the layer of molten intermediate transfer material.

In fact, Blair et al. teaches away from such a process in that it teaches that any transfer of toner from the support to the fuser roll, in the form of offset, is undesirable, and is in fact the reason that the release agent is present: to prevent such a transfer. An important indicium of nonobviousness is "teaching away" from the claimed invention by the prior art. In re Dow Chemical Co., 837 F.2d 469, 473, 5 U.S.P.Q. 2d 1529, 1532 (Fed. Cir. 1988). Further, Blair et al. also teaches that it is undesirable for any toner particles that are transferred onto the fuser roll to be transferred onto additional support papers. Any such toner particles that were so transferred would certainly not be in an imagewise pattern.

Prior art references, to be relied upon as a basis for rejecting an applicant's invention, must either be in the field of the applicant's endeavor or, if not, be reasonably pertinent to the particular problem with which the inventor was concerned. The combination of elements from non-analogous sources, in a manner that reconstructs the applicant's invention only with the benefit of hindsight, is insufficient to present a prima facie case of obviousness. There must be some reason, suggestion, or motivation found in the prior art whereby a person of ordinary skill in the field of the invention would make the combination. That knowledge cannot come from the applicant's invention itself. In re Oetiker, 24 U.S.P.Q. 2d 1443 (Fed. Cir. 1992). Blair et al. constitutes non-analogous art with respect to the instant invention for the afore-stated reasons, and one of ordinary skill in the art would not be motivated to consider these references in combination. Accordingly, Applicants are of the position that the present invention as recited in claims 93 and 94 is patentable with respect to the teachings of these references.

The Examiner has additionally rejected claim 96 under §103 as being unpatentable over Hindman et al. Applicants are of the position that this claim is patentable for the reasons set forth hereinabove with respect to the rejection of claim 95 under §103 as being unpatentable over Jones et al. The Examiner has pointed to nothing in the teachings of the secondary reference that either teach or suggest an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C. Accordingly, Applicants are of the position that this claim is patentable with respect to the teachings of these references.

The Examiner has rejected claim 88 under §102(b) as being anticipated by Fujishiro et al. and rejected claims 89 and 90 under §103 as being unpatentable over Fujishiro et al. in view of Askren. Applicants have cancelled these claims, thereby rendering moot these grounds for rejection.

The Examiner has rejected claims 1 to 5, 7 to 9, 12, 14 to 19, 28, 32 to 35, 57 to 59, 61, 62, 72 to 74, 77 to 80, 84, and 87 under §103 as being unpatentable over Jones et al. in view of Fujishiro et al. Fujishiro et al. discloses an image forming apparatus including a plurality of image forming sections, each having an electrostatic latent image bearing member to form a latent image on its surface, a charging device to uniformly charge the electrostatic latent image bearing member, a developing device to develop the electrostatic latent image formed on the electrostatic latent image bearing member into a visible image, and a cleaning device to remove developer adhered to the electrostatic latent image bearing member. The image forming sections

are disposed in series in close proximity to or contacting a transfer sheet conveying belt spanned rotatively and are configured to differentiate an amount of a lubricant to be supplied to the surface of each electrostatic latent image bearing member such that at least one image forming section is differentiated from other image forming sections.

Jones et al. is directed to a phase change ink printing system, whereas Fujishiro et al. is directed to an electrophotographic printing system. Prior art references, to be relied upon as a basis for rejecting an applicant's invention, must either be in the field of the applicant's endeavor or, if not, be reasonably pertinent to the particular problem with which the inventor was concerned. The combination of elements from non-analogous sources, in a manner that reconstructs the applicant's invention only with the benefit of hindsight, is insufficient to present a prima facie case of obviousness. There must be some reason, suggestion, or motivation found in the prior art whereby a person of ordinary skill in the field of the invention would make the combination. That knowledge cannot come from the applicant's invention itself. In re Oetiker, 24 U.S.P.Q. 2d 1443 (Fed. Cir. 1992). Fujishiro et al. constitutes non-analogous art with respect to the instant invention for the afore-stated reasons, and one of ordinary skill in the art would not be motivated to consider these references in combination. Accordingly, Applicants are of the position that claims 1 to 5, 7 to 9, 12, 14 to 19, 28, 32 to 35, 57 to 59, 61, 62, 72 to 74, 77 to 80, 84, and 87 are patentable with respect to the teachings of these references.

The Examiner has also rejected claim 6 under §103 as being unpatentable over Jones et al. in view of Fujishiro et al. and further

in view of Hattler et al. Hattler et al., like Blair et al., is directed to an electrophotographic process wherein a release fluid is applied to a fuser roll. Applicants are of the position that claim 6 is patentable with respect to the teachings of these references for the reasons set forth hereinabove with respect to the rejection of claims 93 and 94 under §103 as being unpatentable over Jones et al. in view of Blair et al. and the rejection of claims 1 to 5, 7 to 9, 12, 14 to 19, 28, 32 to 35, 57 to 59, 61, 62, 72 to 74, 77 to 80, 84, and 87 under §103 as being unpatentable over Jones et al. in view of Fujishiro et al.

The Examiner has further rejected claim 13 under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Fujishiro et al. and further in view of Bui et al. Applicants are of the position that this claim is patentable for the reasons set forth hereinabove with respect to the rejection of claims 1 to 5, 7 to 9, 12, 14 to 19, 28, 32 to 35, 57 to 59, 61, 62, 72 to 74, 77 to 80, 84, and 87 under §103 as being unpatentable over Jones et al. in view of Fujishiro et al. The Examiner has pointed to nothing in the teachings of the secondary reference that either teach or suggest an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C, and, as Applicants have pointed out, Fujishiro et al. is nonanalogous art with respect to the instant invention. Accordingly, Applicants are of the position that this claim is patentable with respect to the teachings of these references.

The Examiner has additionally rejected claims 20 to 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Fujishiro et al. and further in view of Titterington et al. and Korem. Applicants are of the position that these claims are

patentable for the reasons set forth hereinabove with respect to the rejection of claims 1 to 5, 7 to 9, 12, 14 to 19, 28, 32 to 35, 57 to 59, 61, 62, 72 to 74, 77 to 80, 84, and 87 under §103 as being unpatentable over Jones et al. in view of Fujishiro et al. The Examiner has pointed to nothing in the teachings of the secondary references that either teach or suggest an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C, and, as Applicants have pointed out, Fujishiro et al. is nonanalogous art with respect to the instant invention. Accordingly, Applicants are of the position that this claim is patentable with respect to the teachings of these references.

The Examiner has also rejected claim 27 under §103 as being unpatentable over Jones et al. in view of Fujishiro et al., Titterington et al., and Korem and further in view of Shinkoda. Applicants are of the position that this claim is patentable for the reasons set forth hereinabove with respect to the rejection of claims 1 to 5, 7 to 9, 12, 14 to 19, 28, 32 to 35, 57 to 59, 61, 62, 72 to 74, 77 to 80, 84, and 87 under §103 as being unpatentable over Jones et al. in view of Fujishiro et al. The Examiner has pointed to nothing in the teachings of the secondary reference that either teach or suggest an intermediate transfer material having a melting point of at least about 30°C and of no more than about 90°C, and, as Applicants have pointed out, Fujishiro et al. is nonanalogous art with respect to the instant invention. Accordingly, Applicants are of the position that this claim is patentable with respect to the teachings of these references.

The Examiner has in addition rejected claims 29 and 31 under §103 as being unpatentable over Jones et al. in view of Fujishiro et

al. and further in view of Komatsu et al. Applicants are of the position that these claims are patentable with respect to the teachings of these references for the reasons set forth hereinabove with respect to the rejection of claims 81 and 83 under §103 as being unpatentable over Jones et al. in view of Komatsu et al. and further because Fujishiro et al. is nonanalogous art with respect to the present invention.

The Examiner has further rejected claim 30 under §103 as being unpatentable over Jones et al. in view of Fujishiro et al. and further in view of Anderson. Applicants are of the position that this claim is patentable with respect to the teachings of these references for the reasons set forth hereinabove with respect to the rejection of claim 82 under §103 as being unpatentable over Jones et al. in view of Anderson and further because Fujishiro et al. is nonanalogous art with respect to the present invention.

Applicants believe that the foregoing amendments and distinctions place the claims in condition for allowance, and accordingly respectfully request reconsideration and withdrawal of all grounds for rejection.

Application No. 10/679,053

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby authorized to call Applicant(s) attorney, Judith L. Byorick, at Telephone Number (585) 423-4564, Rochester, New York.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Judith L. Byorick", is written over a horizontal line.

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